

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1. (Currently Amended) An isolated nucleic acid encoding an *M. catarrhalis* polypeptide of SEQ ID NO:3218 ~~SEQ ID NOS: 1921~~ ~~[[-]] 3840~~.
2. (Original) A recombinant expression vector comprising the nucleic acid of Claim 1 operably linked to a transcription regulatory element.
3. (Original) A cell comprising a recombinant expression vector of Claim 2.
4. (Original) A method for producing an *M. catarrhalis* polypeptide comprising culturing a cell of Claim 3 under conditions that permit expression of the polypeptide.
5. (Currently Amended) An isolated nucleic acid selected from the group consisting of:
 - (a) SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]] 1920~~;
 - (b) a complement of SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]] 1920~~; or
 - (c) an RNA of (a) or (b), wherein U is substituted for T.
6. (Original) A recombinant expression vector comprising the nucleic acid of Claim 5 operably linked to a transcription regulatory element.
7. (Original) A cell comprising a recombinant expression vector of Claim 6.
8. (Original) A method for producing an *M. catarrhalis* polypeptide comprising culturing a cell of Claim 7 under conditions that permit expression of the polypeptide.
9. (Currently Amended) A probe comprising a nucleotide sequence consisting of at least eight contiguous nucleotides of a nucleotide sequence selected from the group consisting of:
 - (a) SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]] 1920~~;
 - (b) a complement of SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]] 1920~~; or

- (c) an RNA of (a) or (b), wherein U is substituted for T.
10. (Currently Amended) An isolated nucleic acid comprising a nucleotide sequence of at least eight nucleotides in length, wherein the sequence is hybridizable to a nucleic acid having a nucleotide sequence selected from the group consisting of:
- (a) SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]]~~ 1920;
 - (b) a complement of SEQ ID NO:1298 ~~SEQ ID NOS: 1~~ ~~[[-]]~~ 1920; or
 - (c) an RNA of (a) or (b), wherein U is substituted for T.
11. (Withdrawn) A vaccine composition for prevention or treatment of an *M. catarrhalis* infection comprising a nucleic acid of Claim 5 and a pharmaceutically acceptable carrier.
12. (Withdrawn) A vaccine composition of Claim 11, further comprising an adjuvant.
13. (Withdrawn) A vaccine composition of Claim 11, further comprising one or more additional ingredients.
14. (Withdrawn) A method of treating a subject for *M. catarrhalis* infection comprising administering to a subject a vaccine composition of Claim 11, such that treatment of *M. catarrhalis* infection occurs.
15. (Withdrawn) A method of Claim 14, wherein the treatment is a prophylactic treatment.
16. (Withdrawn) A method of Claim 14, wherein the treatment is a therapeutic treatment.
17. (Withdrawn) A recombinant or substantially pure preparation of an *M. catarrhalis* polypeptide or a fragment thereof, wherein said *M. catarrhalis* polypeptide is SEQ ID NOS: 1921-3840.
18. (Withdrawn) A vaccine composition for prevention or treatment of an *M. catarrhalis* infection comprising an *M. catarrhalis* polypeptide of Claim 17 and a pharmaceutically acceptable carrier.
19. (Withdrawn) A vaccine composition of Claim 18, further comprising an adjuvant.

20. (Withdrawn) A vaccine composition of Claim 18, further comprising one or more additional ingredients.
21. (Withdrawn) A method of treating a subject for *M. catarrhalis* infection comprising administering to a subject a vaccine composition of Claim 18, such that treatment of *M. catarrhalis* infection occurs.
22. (Withdrawn) A method of Claim 21, wherein the treatment is a prophylactic treatment.
23. (Withdrawn) A method of Claim 21, wherein the treatment is a therapeutic treatment.
24. (Withdrawn) A method for detecting the presence or absence of a *Klebsiella* nucleic acid in a sample comprising:
 - (a) contacting a sample with the nucleic acid of Claim 5 under conditions in which a hybrid can form between a probe comprising a nucleotide sequence consisting of at least eight contiguous nucleotides of a nucleotide sequence selected from the group consisting of SEQ ID NOS: 1-2501 or a complement of SEQ ID NOS: 1-1920 and a *Klebsiella* nucleic acid in the sample; and
 - (b) detecting the hybrid formed in step (a), wherein detection of a hybrid indicates the presence or absence of a *Klebsiella* nucleic acid in the sample.
25. (Withdrawn) A computer readable medium having recorded thereon a nucleotide sequence selected from the group consisting of:
 - (a) SEQ ID NOS: 1-1920;
 - (b) a complement of SEQ ID NOS: 1- 1920;
 - (c) an RNA of (a) or (b), wherein U is substituted for T; or
 - (d) a fragment of (a), (b) or (c).
26. (Withdrawn) A computer based system for identifying fragments of the *Klebsiella* genome of comprising:
 - a) a data storage means comprising a nucleotide sequence selected from the group consisting of SEQ ID NOS: 1-1920, a complement of SEQ ID NOS: 1-1920, or a fragment thereof,

- b) a search means for comparing a target sequence to the nucleotide sequences of the data storage means of step (a) to identify homologous sequences, and;
 - c) a retrieval means for obtaining said homologous sequences(s) of step (b).
27. (Withdrawn) A method of identifying nucleic acid fragments of a *Klebsiella* genome comprising comparing a database comprising a nucleotide sequence selected from the group consisting of SEQ ID NOS: 1-1920; a complement of SEQ ID NOS: 1-1920; or a fragment thereof with a target sequence to obtain a nucleic acid molecule comprised of a complementary nucleotide sequence to said target sequence, wherein said target sequence is not randomly selected.
- 28 (Withdrawn) A method for identifying an expression modulating fragment of the *Klebsiella* genome comprising comparing a database comprising a nucleotide sequence selected from the group consisting of SEQ ID NOS: 1- 1920; a complement of SEQ ID NOS: 1-1920; or fragment thereof with a target sequence to obtain a nucleic acid molecule comprised of a complementary nucleotide sequence to said target sequence, wherein said target sequence comprises sequences known to regulate gene expression.